

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE R.SUBHASH REDDY

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WRIT APPEAL No. 1977 of 2005

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Between:

M/s.Swati Coats Private Limited,

A company regd. Under the Companies Act, 1956,

Having its regd. Office at 1-1-565, Golconda X roads,

Hyderabad, rep. by its Managing Director,

N.V.Narasimha Rao, S/o.N.Raghavender Rao,

Aged 49 years, r/o.102, Durga Apartments,

Somajiguda, Street No.10, Hyderabad.

..... PETITIONER

AND

1. A.P.State Financial Corporation,

rep. by its Managing Director,

Chirag Ali Lane, Hyderabad, and another.

.....RESPONDENTS

JUDGMENT: (Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)

It appears that the sale in favour of a third party has been confirmed, and the property has also been handed over to the third party. Writ Petitioner has challenged the sale in Writ Petition No.14799 of 2004, which is pending. In the meantime, an application for interim stay was made, which has been dismissed by the learned single Judge on the ground that the sale has already been confirmed in favour of third party. We do not find any ground to interfere with the order passed by the learned single Judge. However, the learned single Judge may consider the issue of restraining the third party from alienating the said property, in case he is made a party to the writ petition.

Writ Appeal is, accordingly, dismissed. No costs. However, the Writ Petitioner is at liberty to make the third party as party respondent in the writ petition.

(Bilal Nazki, A.C.J)

2nd November, 2005

(R.Subhash Reddy, J)

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